



# PUBLIC NOTICE

US Army Corps  
of Engineers  
New York District  
Jacob K. Javits Federal Building  
New York, N.Y. 10278-0090  
ATTN: Regulatory Branch

## **In replying refer to:**

Public Notice Number: 2005-00251-YN

Issue Date: January 13, 2006

Expiration Date: February 13, 2006

### **To Whom It May Concern:**

The New York District, Corps of Engineers has received an application for a Department of the Army permit pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 USC 403).

**APPLICANT:** Vincent Place  
P.O. Box 246  
Elizabethtown, NY 12932

**ACTIVITY:** Install a seasonal, 6-slip floating pier assembly and 7 mooring buoys

**WATERWAY:** Lake Champlain

**LOCATION:** Town of Westport, Essex County, New York.

A detailed description and plans of the applicant's activity are enclosed to assist in your review.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public: Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

**ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE,** otherwise, it will be presumed that there are no objections to the activity.

Any person may request, in writing, before this public notice expires, that a public hearing be held to collect information necessary to consider this application. Requests for public hearings shall state, with particularity, the reasons why a public hearing should be held. It should be noted that information

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submitted by mail is considered just as carefully in the permit decision process and bears the same weight as that furnished at a public hearing.

Our preliminary determination is that the activity for which authorization is sought herein is not likely to affect any Federally endangered or threatened species or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer is consulting with the appropriate Federal agency to determine the presence of and potential impacts to listed species in the project area or their critical habitat.

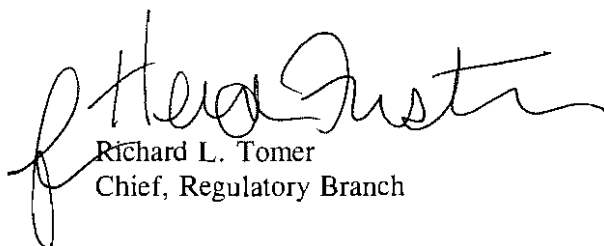
Based upon a review of the latest published version of the National Register of Historic Places (NRHP), there are no known sites eligible for, or included in, the Register within the permit area. Presently unknown archeological, scientific, prehistorical, or historical data may be lost by work accomplished under the required permit. The New York State Office of Parks, Recreation, and Historic Preservation has determined that the project will have "No Effect" upon cultural resources in or eligible for inclusion in the NRHP.

In addition to any required water quality certificate program concurrence, the applicant has obtained or requested the following governmental authorization for the activity under consideration:

New York State Office of General Services - Submerged Lands License

It is requested that you communicate the foregoing information concerning the activity to any persons known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you may contact this office at (518) 273-7420 and ask for Kevin Bruce.

For more information on New York District Corps of Engineers programs, visit our website at <http://www.nan.usace.army.mil>



Richard L. Tomer  
Chief, Regulatory Branch

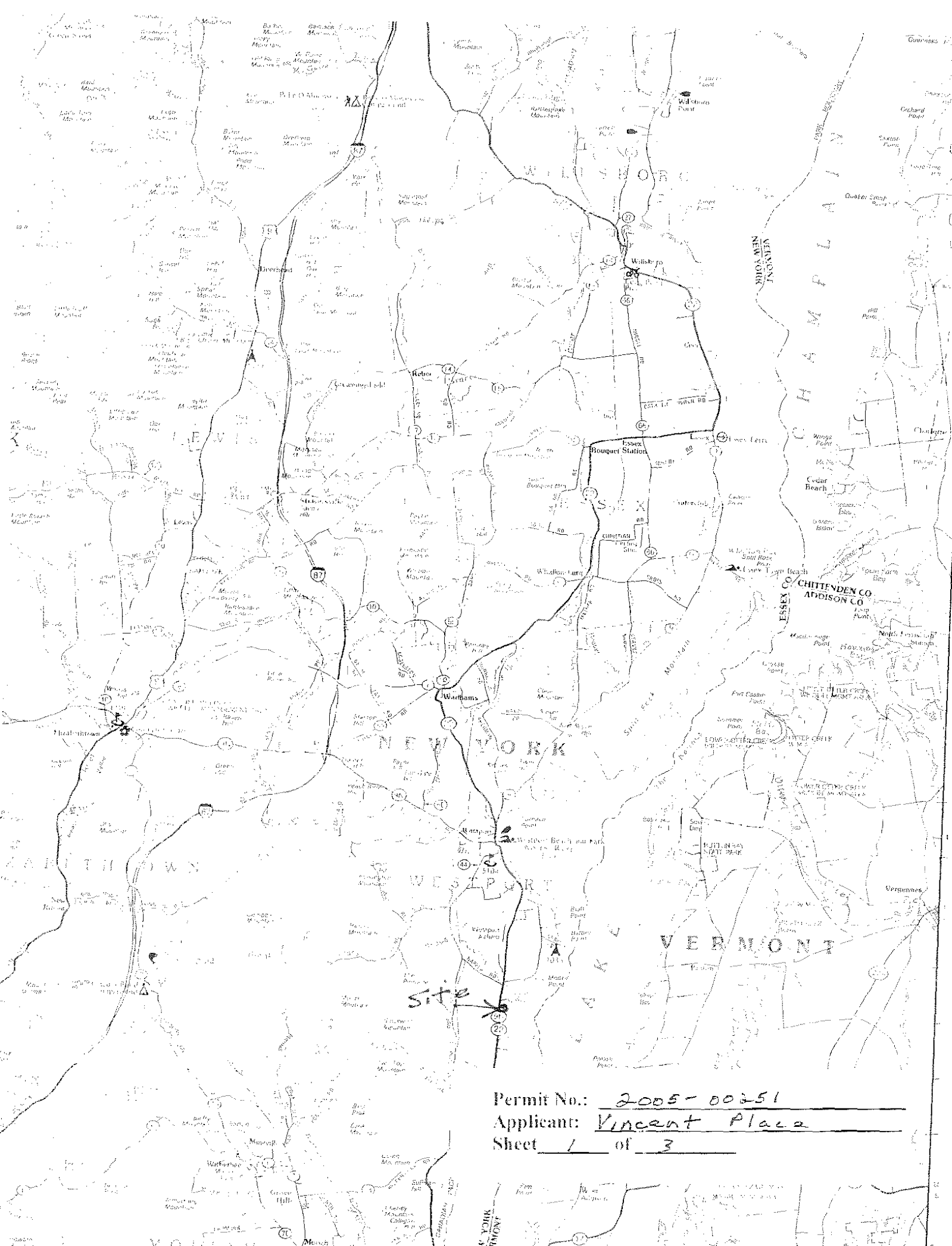
Enclosures

**WORK DESCRIPTION**

The applicant, Vincent Place, has requested Department of the Army authorization to install a seasonal floating pier assembly and mooring buoys in Lake Champlain. The site is located on Lake Champlain in the vicinity of 5683 State Route 9 and 22, in the Town of Westport, Essex County, New York.

The work would involve the installation of a seasonal floating pier assembly extending approximately 75 feet beyond the ordinary high water mark (OHWM) of the lake. The main pier would be "T"-shaped and measure 6 feet wide by 108 feet long. Six smaller "finger" piers measuring 4 feet wide by 30 feet long, would attach perpendicular and extend waterward from the main pier, creating 6 individual boat slips. The work would also involve the installation of 7 mooring buoys anchored to the lake bed by chain and mushroom anchors.

The stated purpose of this project is to provide recreational facilities for the future residents of a town approved, 6-lot subdivision adjacent to the lake. No additional activities within the jurisdiction of this office would be associated with the development of the subdivision. The 40-acre subdivision, to be known as Lakewood Forest Estates, will include the construction of a parking area and stairways that are associated with the proposed work.



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Lake Champlain

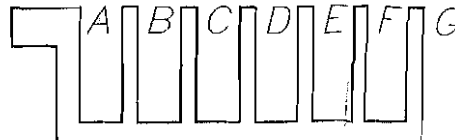


PROPOSED MOORING SITES

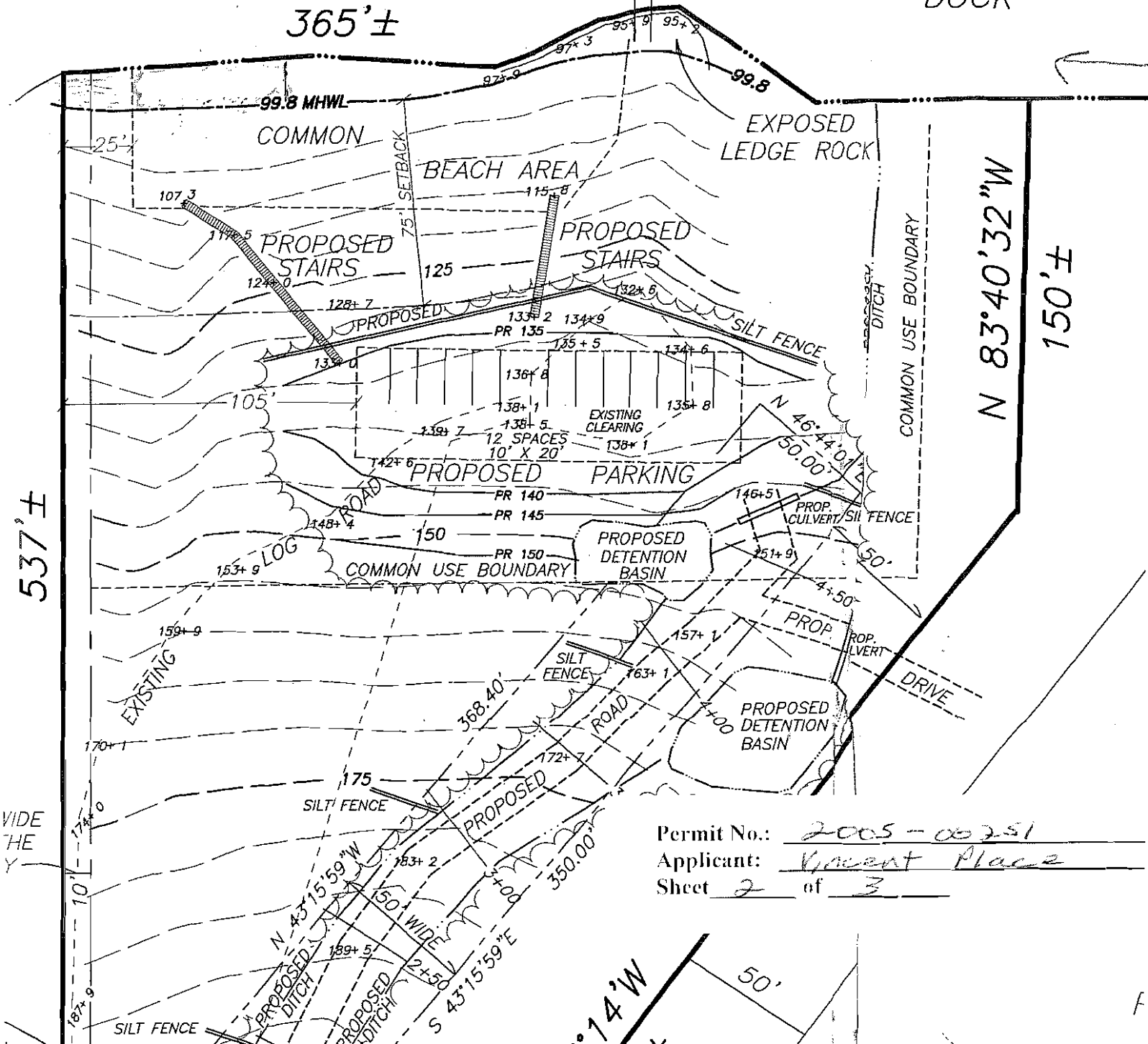
SEE PLANS BY "THE DOCK DOCTORS"

DOCK LOT  
3.1± ACRES

365'±

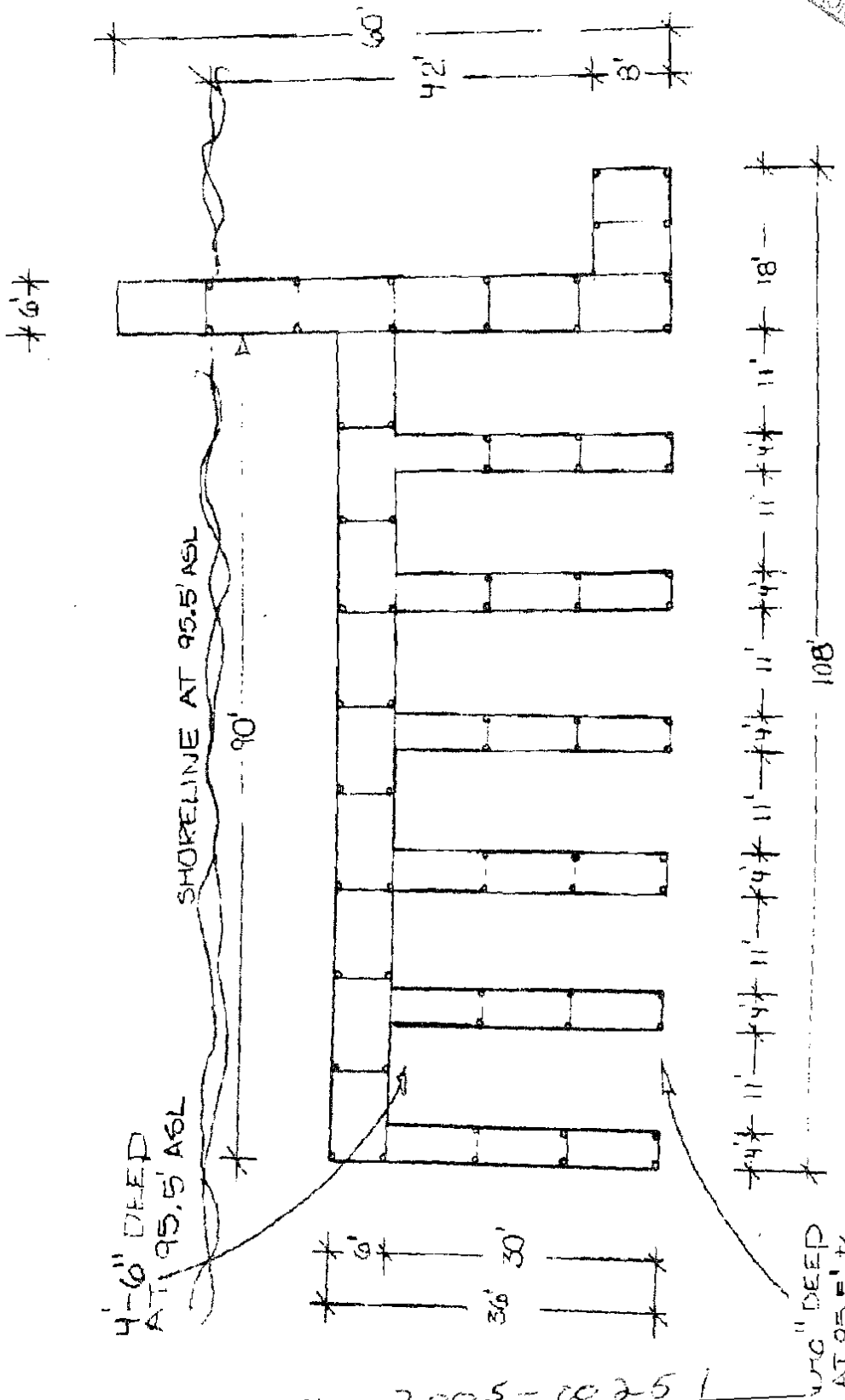


PROPOSED  
COMMON  
DOCK



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LEG DOCK LAYOUT  
SCALE 1" = 16'-0"



ENVIRONMENTAL PERMIT  
MAR 10 2005

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